UNITED
NATIONS

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United Nations Conference
on Trade and Development

Distr.
GENERAL

TD/B/EX(4)/1
2 July 1993

Original: ENGLISH

TRADE AND DEVELOPMENT BOARD
Fourth (pre-sessional) executive session
Geneva, 13 September 1993
Item 1 of the provisional agenda

ADOPTION OF THE AGENDA OF THE SESSION

Provisional agenda and annotations for the fourth (pre-sessional) executive session of the Board

Items 2 and 3 of the provisional agenda for the fourth (pre-sessional) executive session correspond to items 10, 11(a) to 11(e) and 11(h) of the provisional agenda for the first part of the fortieth session of the Trade and Development Board, as approved by the Board at its 824th plenary meeting on 26 March 1993 (TD/B/39(2)/L.5) and completed by the Consultations of the Secretary-General of UNCTAD on 24 June 1993.

GE.93-52428

I. PROVISIONAL AGENDA

1. Adoption of the agenda of the session

2.* Matters requiring action by the Board arising from or related to reports and activities of its subsidiary and other bodies

(a) Special Committee on Preferences, twentieth session (10-14 May 1993)

(b) Ad Hoc Working Group on Comparative Experiences with Privatization, second session (7-11 June 1993)

(c) Ad Hoc Working Group on Investment and Financial Flows, second session (28 June - 2 July 1993)

(d) Reconvening of the Joint UNCTAD/IMO Intergovernmental Group of Experts on Maritime Liens and Mortgages and Related Subjects

3.* Institutional, organizational, administrative and related matters

(a) Treatment of new States members of UNCTAD

(b) Membership of the Trade and Development Board

(c) Membership of the Standing Committees and Ad Hoc Working Groups

(d) Membership of the Working Party on the Medium-Term Plan and the Programme Budget for 1994

(e) Approval of the terms of reference of the Ad Hoc Working Group to explore the issue of structural adjustment for the transition to disarmament

(h) Preparations for the thirtieth anniversary of UNCTAD in 1994.

4. Nomination of officers for the Bureau of the fortieth session of the Board

5. Other business

6. Report of the fourth (pre-sessional) executive session of the Board

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* Items 10, 11(a) to 11(e) and 11(h) of the provisional agenda for the first part of the fortieth session of the Board.

II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1 - Adoption of the agenda

Item 2 - Matters requiring action by the Board arising from or related to reports and activities of its subsidiary and other bodies

Item 2(a) Special Committee on Preferences, twentieth session (10-14 May 1993)

The Special Committee on Preferences held its twentieth session from 10 to 14 May 1993.

Attention is drawn to annex II to the report on the session, containing the Chairman's summary of the meeting and to annex I, containing the decision of the Special Committee to hold a Policy Review on GSP in 1995 and to utilize the twenty-first session of that Committee next year, inter alia, as a preparatory meeting for that review.

Attention is also drawn to Chapter II, Section D, containing the provisional agenda which the Special Committee on Preferences approved for its twenty-first session.

The Board may wish to take note of the report of the Special Committee on Preferences on its twentieth session and to endorse the decision contained in annex I.

Documentation

TD/B/40(1)/10 - TD/B/SCP/4	Report on the Special Committee on Preferences on its twentieth session

Item 2(b) Ad Hoc Working Group on Comparative Experiences with Privatization, second session (7-11 June 1993)

Documentation

TD/B/40(1)/11 - TD/B/WG.3/8	Report of the Ad Hoc Working Group on Comparative Experiences with Privatization, second session (7 - 11 June 1993)

Item 2(c) Ad Hoc Working Group on Investment and Financial Flows, second session (28 June-2 July 1993)

Documentation

TD/B/40(1)/12 - TD/B/WG.1/8	Report of the Ad Hoc Working Group on Investment and Financial Flows, second session (28 June - 2 July 1993)

Item 2(d) Reconvening of the Joint UNCTAD/IMO IGE on Maritime Liens and Mortgages and Related Subjects

Following General Assembly resolution 46/213, the United Nations/International Maritime Organization Conference of Plenipotentiaries on a Convention on Maritime Liens and Mortgages was convened in Geneva from 19 April to 6 May 1993. The Conference, having considered the draft convention prepared by the Joint UNCTAD/IMO Intergovernmental Group of Experts on Maritime Liens and Mortgages and Related Subjects, adopted by consensus the International Convention on Maritime Liens and Mortgages, 1993.

The Convention is considered an important step towards improving conditions for ship financing and promoting international uniformity in the field of maritime liens and mortgages. It will be deposited with the Secretary-General of the United Nations and will be open for signature from 1 September 1993 to 31 August 1994. It will enter into force six months following the date on which 10 States have expressed their consent to be bound by it.

The Conference also adopted a resolution (A/CONF.162/L.6) in which it recommended that "the relevant bodies of UNCTAD and IMO, in the light of the outcome of the Conference, reconvene the Joint Intergovernmental Group with a view to examining the possible review of the International Convention for the Unification of Certain Rules Relating to the Arrest of Sea-going Ships, 1952 and invite the secretariats of UNCTAD and IMO, in consultation with relevant non-governmental organizations, such as the Comité Maritime International, to prepare the necessary documentation for the meetings of the Group".

It will be recalled that the Joint UNCTAD/IMO Intergovernmental Group of Experts had been established pursuant to resolution 6(XI) of the UNCTAD Working Group on International Shipping Legislation and its mandate included the "review of the maritime liens and mortgages Conventions and related enforcement procedures, such as arrest" (TD/B/C.4/ISL/53, annex I). The Joint Intergovernmental Group, however, having briefly discussed the subject, considered that, in view of the close interlinkage between the Arrest Convention of 1952 and the future maritime liens and mortgages Convention, any review or amendment of the Arrest Convention would be premature at that stage and therefore

recommended that any such review be postponed until after the final adoption of the Maritime Liens and Mortgages Convention by the Conference of Plenipotentiaries (TD/B/C.4/AC.8/27, para. 16).

Moreover, the Standing Committee on Developing Services Sectors: Fostering Competitive Services Sectors in Developing Countries - Shipping, also included in its work programme the "study [of] possible amendment of the 1952 Convention on Arrest of Ships jointly with IMO, subject to the agreement by the Joint UNCTAD/IMO Intergovernmental Group of Experts on Maritime Liens and Mortgages and Related Subjects and following the United Nations/IMO Conference on Plenipotentiaries on Maritime Liens and Mortgages" (TD/B/CN.4/13, annex I, Section C(12)).

In view of the above, the Trade and Development Board may wish to consider the reconvening of the Joint UNCTAD/IMO Intergovernmental Group of Experts in order to examine the possible review of the International Convention for the Unification of Certain Rules Relating to the Arrest of Sea-going Ships, 1952.

Documentation

A/CONF.162/8	Report of the UN/IMO Conference of Plenipotentiaries on a Convention on Maritime Liens and Mortgages

Item 3 - Institutional, organizational, administrative and related matters

Item 3(a) Treatment of new States members of UNCTAD

By resolution 47/230, of 28 May 1993, the General Assembly admitted Eritrea to membership in the United Nations.

Under the provisions of Assembly resolution 1995 (XIX), this new State Member automatically became a member of UNCTAD and is reflected in TD/B/INF.189.

The membership of UNCTAD now stands at 186.

Documentation

TD/B/INF.189 (pages 2-4)	Membership of UNCTAD

Item 3(b) Membership of the Trade and Development Board

At its third executive session, on 27 April 1993, the Board confirmed the membership of the Trade and Development Board at 137.

In accordance with paragraph 5 of the General Assembly resolution 1995 (XIX), the President will inform the Board of any communications received from members of the Conference, indicating their intention to become members of the Board. The present membership of the Trade and Development Board is reflected in TD/B/INF.189.

Documentation

TD/B/INF.189 (pages 5-6)	Membership of the Trade and Development Board

Item 3(c) Membership of the Standing Committees and Ad Hoc Working Groups

At its 824th plenary meeting, on 26 March 1993, the Board confirmed the membership of the four Standing committees and the five Ad Hoc Working Groups established by the Conference, as reflected in TD/B/39(2)/CRP.5, and noted that any amendments or additions should be communicated to the Secretary of the Trade and Development Board. An updated membership list is contained in TD/B/INF.190.

Documentation

TD/B/INF.190	Membership of the Standing Committees and Ad Hoc Working Groups

Item 3(d) Membership of the Working Party on the Medium-Term Plan and the Programme Budget for 1994

The Working Party consists of 19 members, whose term of office is one year (Board decision 236 (XXIII)). The geographical distribution of posts is as follows:

Lists A and C combined		9
Africa	3	
Asia	3	
Latin America	3	
List B		6
List D		3
China		1

At the first part of its fortieth session, the Board will be expected to establish the membership of the Working Party for 1994.

No documentation

Item 3(e) Approval of the terms of reference of the Ad Hoc Working Group to explore the issue of structural adjustment for the transition to disarmament

It will be recalled that, at the first part of its thirty-ninth session, by decision 399(XXXIX) of 9 October 1992, the Board established an Ad Hoc Working Group to explore the issue of structural adjustment for the transition to disarmament.

At the second part of its thirty-ninth session, the Board agreed to request the President of the thirty-ninth session of the Board to conduct, for about two days in the week 14-18 June 1993, informal consultations on the draft terms of reference and the timetable of the Ad Hoc Working Group with a view to facilitating a prompt decision on this issue by the Board.

Also at the second part of its thirty-ninth session, the Board requested the Secretary-General of UNCTAD to prepare revised draft terms of reference of the Ad Hoc Working Group, taking into account views and statements on this issue, as well as the compendium of comments submitted by member States, and to circulate both documents well in advance of the informal consultations of the President of the Board. The Secretary-General of UNCTAD accordingly addressed an appropriate communication, dated 8 April 1993, to States members of UNCTAD, requesting replies by 26 April 1993.[1]/

The Board also agreed that, at the first part of its fortieth session, it would establish the terms of reference of the Ad Hoc Working Group to explore the issue of structural adjustment for the transition to disarmament, as well as its timetable, and suggested that the first session of the Ad Hoc Working Group should take place as early as possible in 1994.

Documentation

TD/B/40(1)/Misc.1	Draft terms of reference of the Ad Hoc Working Group to explore the issue of structural adjustment for the transition to disarmament

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1 In view of the fact that very few replies had been received to date, the Consultations of the Secretary-General of UNCTAD, on 1 June 1993, requested the President of the Board to postpone his consultations until some time in September, prior to the first part of the fortieth session of the Board, in order to allow time for more States members to respond.

Item 3(h) Preparations for the thirtieth anniversary of UNCTAD in 1994

At its second (pre-sessional) executive session on 5 March 1993, the Board had before it a note by the UNCTAD secretariat entitled "Arrangements for the celebration of the thirtieth anniversary of UNCTAD in 1994" (TD/B/EX(2)/INF.2). The Board agreed that the President and the regional coordinators and China should hold consultative meetings with the secretariat on the preparations for the celebration of the thirtieth anniversary.

At the Consultations of the Secretary-General of UNCTAD on 1 June 1993, it was agreed that, given the global interest in this event, the President's consultative meetings should be expanded to embrace all interested delegations. A series of open-ended consultations should therefore be held, the first of which should be convened in the latter part of August 1993.

The outcome of these consultations will be reported to the Board.

In-session documentation

Item 4 - Nomination of officers for the Bureau of the fortieth session of the Board

Item 5 - Other business

Item 6 - Report of the fourth (pre-sessional) executive session of the Board